

Amendments to the Claims:

Amend the claims as set forth in the following listing of claims whereby Claim 1-22 are canceled and new Claims 23-34 are added.

This listing of claims shall replace all prior versions, and listings, of claims in the application.

Listing of Claims

Claims 1-22 (Canceled)

23. (New) A method of gathering identification data from an identification tag or label associated with an item, comprising the steps of

acquiring first item identification data by reading a tag or label with a data reader;

providing a plurality of delay times of different durations;

the data reader selecting a delay time, out of the plurality of delay times, based upon a given criteria;

starting a timer set to expire after expiration of the delay time selected;

reporting the first item identification data to a host;

acquiring second item identification data by reading a tag or label;

if the second item identification data is the same as the first item identification data and if the timer has not expired, not reporting the second item identification data to the host.

24. (New) A method according to Claim 23 further comprising

if the second item identification data is not the same as the first item identification data or if the timer has expired, reporting the second item identification data to the host.

25. (New) A method according to Claim 24 further comprising

if the second item identification data is reported to host, restarting the timer.

26. (New) A method according to Claim 23 further comprising

if the timer has expired, reporting the second item identification data to the host.

27. (New) A method according to Claim 23 wherein the step of selecting a delay time based upon a given criteria comprises determining whether the item is weighable or non-weighable.

28. (New) A method according to Claim 23 wherein the step of selecting a delay time based upon a given criteria comprises determining a type of tag or label being read.

29. (New) A method according to Claim 23 wherein the step of selecting a delay time based upon a given criteria comprises determining a class of item being read.

30. (New) A method according to Claim 23 wherein the step of selecting a delay time based upon a given criteria comprises

determining if the item being read is a produce item and selecting a longer delay time if the item is determined to be a produce item.

31. (New) A method of reading an identification label or tag associated with an item, comprising the steps of

obtaining item identification data by reading label or tag with a data reader;

reporting the item identification data to a host;

activating a timer set to expire after expiration of a delay time;

resetting the timer upon a subsequent reading of a tag or label;

preventing reporting of a subsequent reading of a label or tag of the same item identification data unless the timer has expired;

operating in a selected one of first and second operating modes wherein the delay time in the first operating mode is longer than the delay time in the second operating mode.

32. (New) A method according to Claim 31 further comprising determining if the item being read is a produce item and selecting a longer delay time if the item is determined to be a produce item.

33. (New) A method according to Claim 31 further comprising determining if the item being read is an item sold by weight needing to be weighed and selecting a longer delay time if the item is determined to be such an item.

34. (New) A system for reading an identification label or tag associated with an item, comprising

a data reader for acquiring item identification data from the label or tag;

a system processor in the data reader for determining a type of tag or label;

a timer in communication with the system processor for preventing reporting of subsequent reading of a label or tag that occurs before the timer expires, the timer being settable by the system processor for different expiration times based on an aspect of the item identification data acquired.